

1 PHILLIP A. TALBERT  
Acting United States Attorney  
2 JUSTIN J. GILIO  
Assistant United States Attorney  
3 2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
4 Telephone: (559) 497-4000  
Facsimile: (559) 497-4099  
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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,  
12  
Plaintiff,  
13  
v.

14 JOSE JESUS TORRES GARCIA,  
15  
Defendant.  
16

CASE NO. 1:21-CR-00190-DAD-BAM  
  
PRELIMINARY ORDER OF  
FORFEITURE

17 Based upon the plea agreement entered into between the United States of America and defendant  
18 Jose Jesus Torres Garcia, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

19 1. Pursuant to 21 U.S.C. § 853(a), defendant Jose Jesus Torres Garcia's interest in the  
20 following property shall be condemned and forfeited to the United States of America, to be disposed of  
21 according to law:

- 22 a. Bag of empty plastic pill capsules;
- 23 b. Digital scale;
- 24 c. Document with list of phone numbers;
- 25 d. Three bags containing small plastic baggies; and,
- 26 e. Apple iPhone, black in color.

27 2. The above-listed property constitutes or is derived from proceeds obtained, directly or  
28 indirectly, as a result of a violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and/or was used, or intended to be

1 used, in any manner or part to commit or to facilitate the commission of a violation of 21 U.S.C. §  
2 841(a)(1), (b)(1)(C).

3 3. Pursuant to Rule 32.2(b)(3), the Attorney General (or a designee) shall be authorized to  
4 seize the above-listed property. The aforementioned property shall be seized and held by the U.S.  
5 Customs and Border Protection, in its secure custody and control.


6 4. a. Pursuant to 21 U.S.C. § 853(n), and Local Rule 171, the United States shall  
7 publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney General's (or a  
8 designee's) intent to dispose of the property in such manner as the Attorney General may direct shall be  
9 posted for at least thirty (30) consecutive days on the official internet government forfeiture site  
10 [www.forfeiture.gov](http://www.forfeiture.gov). The United States may also, to the extent practicable, provide direct written notice  
11 to any person known to have alleged an interest in the property that is the subject of the order of  
12 forfeiture as a substitute for published notice as to those persons so notified.

13 b. This notice shall state that any person, other than the defendant, asserting a legal  
14 interest in the above-listed property, must file a petition with the Court within sixty (60) days from the  
15 first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or  
16 within thirty (30) days from receipt of direct written notice, whichever is earlier.

17 5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court  
18 will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(a), in which all interests will be  
19 addressed.

20 IT IS SO ORDERED.

21 Dated: September 30, 2021

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23 \_\_\_\_\_  
24 UNITED STATES DISTRICT JUDGE  
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